

Message Text

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ORIGIN EB-03

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DRAFTED BY:EB/OA/AVP:JSRAVATT

APPROVED BY:EB/TT:RJWALDMANN

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R 100213Z NOV 73

FM SECSTATE WASHDC

TO AMEMBASSY TEL AVIV

UNCLAS STATE 222317

FOLLOWING MONTREAL 2161 SENT STATE NOV 8 RPT TO YOU QTE

UNCLAS MONTREAL 2161

FROM USREP ICAO

E. O. 11652: N/A

TAGS: ETRN, CA

SUBJ: ICAO - PROTEST LETTER TO PRES AND COUNCIL MEMBERS RE
ISRAELI AIRLINES

1. LETTER DATED NOV 6, 1973 HAS BEEN CIRCULATED TO ALL MEMBERS
OF ICAO COUNCIL AND PRES/COUNCIL BY EGYPTIAN REP ACCUSING ISRAEL
OF USING EL-AL CIVIL AIRCRAFT TO TRANSPORT ARMS FROM THE US TO
TEL AVIV. TEXT OF LETTER FOLLOWS:

QUOTE: (A) DEAR SIR: I AM DIRECTED TO INFORM YOU THAT DURING THE
MONTH OF OCTOBER 1973, THE GOVERNMENT OF ISRAEL HAS BEEN USING
THE AIRCRAFT OPERATED BY HER AIRLINE EL-AL WHILE ENGAGED ON INTER-
NATIONAL CIVIL AIR TRANSPORT SERVICES FROM THE UNITED STATES TO
TEL AVIV FOR TRANSPORTING ARMS, MUNITIONS OF WAR AS WELL AS OTHER
IMPLEMENTATIONS OF WAR FOR THE USE OF HER ARMED FORCES IN THEIR CON-
TINUED AGGRESSION AGAINST EGYPT AND OTHER ARAB STATES.

(B) UPON THE INSTRUCTIONS OF MY GOVERNMENT, I WOULD LIKE THE
COUNCIL TO NOTE THE FOLLOWING:

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1. BY THIS ACTION, ISRAEL HAS VIOLATED BOTH THE PRINCIPLES

ENSHRINED IN THE PREAMBLE TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION SIGNED AT CHICAGO ON 7 DEC 1944, AS WELL AS THE LETTERS OF ARTICLES 4 AND 35 OF THE SAID CONVENTION.

2. ISRAEL HAS ENDANGERED THE LIVES OF THE INNOCENT PASSENGERS WHO TRAVEL ON EL-AL AIRCRAFT AND, IN CASE OF ANY MISHAP, THE LIVES OF THE PEOPLE LIVING IN THE TERRITORIES OVERWHICH THESE AIRCRAFT FLY.

3. ISRAEL BY CARRYING OUT SUCH FLIGHTS HAS VIOLATED THE LAWS, REGULATIONS AND RESTRICTIONS OF CONTRACTING STATES RELATING TO THE ADMISSION IN THEIR TERRITORIES OF AIRCRAFT ENGAGED IN INTERNATIONAL AIR NAVIGATION ESTABLISHED IN ACCORDANCE WITH ARTICLE 11 OF THE CONVENTION.

4. THE GOVERNMENT OF ISRAEL HAS ONCE AGAIN THREATENED THE SAFETY OF AIR NAVIGATION SINCE ICAO COUNCIL HAS NOT BEEN INFORMED OF HER INTENTION OF NON COMPLIANCE WITH THE PROVISIONS OF THE CONVENTION IN ACCORDANCE WITH ARTICLE 89 OF THE SAID CONVENTION SO AS TO ENABLE THE COUNCIL TO INFORM CONTRACTING STATES ACCORDINGLY.

5. CONTRACTING STATES WHO ALLOW SUCH ISRAELI AIRCRAFT TO FLY IN ITS AIRSPACE AND USE ITS CIVIL AIRPORTS PARTICIPATE WITH ISRAEL IN ENDANGERING THE SAFETY OF INTERNATIONAL AIR TRANSPORT. PLEASE ACCEPT, SIR, THE ASSURANCES OF MY HIGHEST CONSIDERATION. UNQUOTE SIGNED: DR. FOUAD K. MOURSY, REPRESENTATIVE OF THE ARAB REPUBLIC OF EGYPT ON THE COUNCIL OF ICAO.

2. LETTER DATED 6 NOV 1973 RECEIVED NOV 8 AT 11 A.M. USREP WISHES POINT OUT ICAO OFFICIALLY CLOSED NOV 12. NEXT REGULAR COUNCIL MEETING WED NOV 14 AT 2:30 P.M. HARPER UNQUOTE RUSH

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Disposition Date: 01 JAN 1960
Disposition Event:
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